

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE
SOUTHERN DISTRICT OF MISSISSIPPI**

IN RE:

EVAN DOSS, JR.

CHAPTER 7

CASE NO. 9503665EE

STATE OF MISSISSIPPI

VS.

EVAN DOSS, JR.

ADVERSARY NO. 09-0130EE

FINAL JUDGMENT

THIS CAUSE came on for trial on November 3, 2010, on the following pleadings:

1. *Complaint Objecting to Dischargeability of Indebtedness 11 U.S.C. § 523 (#1)* filed by the State of Mississippi;
2. The *Motion for Counterclaim and Cross-Claim* (#37) filed by the Debtor;
3. The *Debtor/Defendant's Motion to Dismiss* (#38);
4. The *Motion for Joinder of Persons Needed for Just Determination* (#40) filed by the Debtor;
5. The *Plaintiff's Objection and Response to Debtor/Defendant's Motion for Joinder of Persons Needed for Just Determination* (#41) filed by the State of Mississippi;
6. The *Plaintiff's Objection and Response to Debtor/Defendant's Motion to Dismiss* (#42) filed by the State of Mississippi;
7. The *Plaintiff's Objection and Response to Debtor/Defendant's Motion for Counterclaim and Cross-Claim* (#44) filed by the State of Mississippi;

8. The *Debtor/Defendant's Motion for Leave of Court for Extension of Time Within Which to Respond to Plaintiff's objection to Debtor/Defendant's Motion to Dismiss; Plaintiff's Memorandum in Support of Plaintiff's Objection and Response to Debtor/Defendant's Motion to Dismiss; Plaintiff's Objection and Response to Debtor/Defendant's Motion for Counterclaim and Cross-Claim; Plaintiff's Objection and Response to Debtor/Defendant's Motion for Joinder of Persons Needed for Just Determination (#45)*;
9. The *Plaintiff's Objection and Response to Debtor/Defendant's Motion for Leave of Court for Extension of Time Within Which to Respond to Plaintiff's objection to Debtor/Defendant's Motion to Dismiss; Plaintiff's Memorandum in Support of Plaintiff's Objection and Response to Debtor/Defendant's Motion to Dismiss; Plaintiff's Objection and Response to Debtor/Defendant's Motion for Counterclaim and Cross-Claim; Plaintiff's Objection and Response to Debtor/Defendant's Motion for Joinder of Persons Needed for Just Determination (#46)* filed by the State of Mississippi;
10. The *Plaintiff's Motion to Amend Complaint (#47)* filed by the State of Mississippi;
11. The *Joinder in State of Mississippi's Objection and Response to Debtor/Defendant's Motion for Counterclaim and Cross-Claim (Docket No. #44) and Joinder in State of Mississippi's Objection and Response to Debtor/Defendant's Motion for Joinder of Persons Needed for Just Determination (Docket No. #41)(#52)* filed by Eileen N. Shaffer, Trustee for the bankruptcy estate of Evan Doss Corporation; and
12. The *Joinder in State of Mississippi's Objection and Response to Debtor/Defendant's Motion for Counterclaim and Cross-Claim and Joinder in State of Mississippi's Objection and Response*

to Debtor/Defendant's Motion for Joinder of Persons Needed for Just Determination (#53) filed by Derek A. Henderson, Trustee for the bankruptcy estate of Evan Doss, Jr.

In the complaint filed by the State of Mississippi against the Debtor, Evan Doss, Jr., the State seeks to have a certain order of restitution entered in favor of the State of Mississippi against Evan Doss, Jr. on August 4, 1997, in the United States District Court for the Southern District of Mississippi, Case Number 5:97-cr-00003-DCB, declared nondischargeable pursuant to 11 U.S.C. § 523(a)(4) and (a)(7).

For the reasons expressed in the *Findings of Fact and Conclusions of Law* which were stated orally and in open court, the Court finds that the August 4, 1997, order of restitution is nondischargeable pursuant to 11 U.S.C. § 523(a)(13) and is nondischargeable pursuant to 18 U.S.C. § 3613(e) and (f). Therefore, the Court finds that the complaint should be dismissed as moot and all subsequently filed pleadings should be dismissed as moot.

IT IS THEREFORE ORDERED that the order of restitution entered on August 4, 1997, in the United States District Court for the Southern District of Mississippi, Case Number 97-cr-00003-DCB, is nondischargeable pursuant to 11 U.S.C. § 523(a)(13) and 18 U.S.C. § 3613(e) and (f).

IT IS FURTHER ORDERED that the following listed pleadings are hereby dismissed as moot:

1. *Complaint Objecting to Dischargeability of Indebtedness 11 U.S.C. § 523 (#1) filed by the State of Mississippi;*
2. *The Motion for Counterclaim and Cross-Claim (#37) filed by the Debtor;*
3. *The Debtor/Defendant's Motion to Dismiss (#38);*

4. The *Motion for Joinder of Persons Needed for Just Determination* (#40) filed by the Debtor;
5. The *Plaintiff's Objection and Response to Debtor/Defendant's Motion for Joinder of Persons Needed for Just Determination* (#41) filed by the State of Mississippi;
6. The *Plaintiff's Objection and Response to Debtor/Defendant's Motion to Dismiss* (#42) filed by the State of Mississippi;
7. The *Plaintiff's Objection and Response to Debtor/Defendant's Motion for Counterclaim and Cross-Claim* (#44) filed by the State of Mississippi;
8. The *Debtor/Defendant's Motion for Leave of Court for Extension of Time Within Which to Respond to Plaintiff's objection to Debtor/Defendant's Motion to Dismiss; Plaintiff's Memorandum in Support of Plaintiff's Objection and Response to Debtor/Defendant's Motion to Dismiss; Plaintiff's Objection and Response to Debtor/Defendant's Motion for Counterclaim and Cross-Claim; Plaintiff's Objection and Response to Debtor/Defendant's Motion for Joinder of Persons Needed for Just Determination* (#45);
9. The *Plaintiff's Objection and Response to Debtor/Defendant's Motion for Leave of Court for Extension of Time Within Which to Respond to Plaintiff's objection to Debtor/Defendant's Motion to Dismiss; Plaintiff's Memorandum in Support of Plaintiff's Objection and Response to Debtor/Defendant's Motion to Dismiss; Plaintiff's Objection and Response to Debtor/Defendant's Motion for Counterclaim and Cross-Claim; Plaintiff's Objection and Response to Debtor/Defendant's Motion for Joinder of Persons Needed for Just Determination* (#46) filed by the State of Mississippi;
10. The *Plaintiff's Motion to Amend Complaint* (#47) filed by the State of Mississippi;

11. The *Joinder in State of Mississippi's Objection and Response to Debtor/Defendant's Motion for Counterclaim and Cross-Claim (Docket No. #44)* and *Joinder in State of Mississippi's Objection and Response to Debtor/Defendant's Motion for Joinder of Persons Needed for Just Determination (Docket No. #41)(#52)* filed by Eileen N. Shaffer, Trustee for the bankruptcy estate of Evan Doss Corporation; and

12. The *Joinder in State of Mississippi's Objection and Response to Debtor/Defendant's Motion for Counterclaim and Cross-Claim and Joinder in State of Mississippi's Objection and Response to Debtor/Defendant's Motion for Joinder of Persons Needed for Just Determination (#53)* filed by Derek A. Henderson, Trustee for the bankruptcy estate of Evan Doss, Jr.

SO ORDERED.



Edward Ellington
United States Bankruptcy Judge

Dated: November 3, 2010